

21st October 1927]

Alleged supersession of the claims of Mr. Abbas Ali.

* 772 Q.—Rao Bahadur C. S. RATNASABHAPATI MUDALIYAR: Will the hon. the Law Member be pleased to state—

(a) whether it is a fact that the names of Messrs. Abbas Ali and N. Chandrasekhara Ayyar were both considered about June last year by the Government for appointment as District Judges;

(b) whether the appointments were not then made on the ground that for temporary vacancies for the Judicial Department it is inadvisable to make appointments from members practising at the Bar; and

(c) why when the appointment of City Civil Court Judge fell vacant the claims of Mr. Abbas Ali were overlooked?

A.—(a) to (c) The hon. Member is referred to the answer to question No. 719.

Valuation of small cause suits filed in sub-courts, when the value is below and above Rs. 500.

* 773 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member be pleased to state—

(a) whether in small cause suits entertained in sub-courts, a court-fee of $7\frac{1}{2}$ per cent is levied on all such suits of the value below Rs. 500, and of $11\frac{1}{4}$ per cent on suits of the value of Rs. 500 and above;

(b) if not, in which courts it is so levied; and

(c) whether the Government propose to remove the anomaly by amending the Court Fees Act, if necessary, so as to levy only $7\frac{1}{2}$ per cent court-fee on all small cause suits triable by Subordinate Judges?

A.—(a) & (b) Yes.

The court-fee leviable on small cause suits of value not exceeding Rs. 500 is $7\frac{1}{2}$ per cent and that on suits of value exceeding Rs. 500 but not exceeding Rs. 1,000 is $11\frac{1}{4}$ per cent.

(c) The matter is under the consideration of Government.

Mr. C. RAMASOMAYAJULU:—“May I ask the hon. the Law Member whether he is aware that his predecessor in office at the time of the budget discussions in March last gave a clear undertaking that he would get modifications made early with regard to court fees and why this long delay?”

The hon. Mr. A. Y. G. CAMPBELL:—“The High Court had to be consulted in the matter and the rules had to be drafted, but I hope orders will be issued very early.”

Alleged delay in the granting of certified copies in Civil and Revenue courts in the mufassal.

* 774 Q.—Mr. A. B. SHETTY: Will the hon. the Law Member and the hon. the Member for Revenue be pleased to state—

(a) whether any representations were made to the Government that there is usually inordinate delay in the granting of certified copies in Civil and Revenue courts in the mufassal; and

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(b) whether the Government have taken or propose to take any steps to enable applicants to obtain certified copies in urgent cases, within the course of one day, if necessary, by levying a special fee not exceeding Re. 1 per whole application as in the registration offices?

A —(a) No.

(b) No such proposal has been considered by the Government.

Mr. A. B. SHETTY :—“ May I request the Government to find out whether there is not usually inordinate delay in the granting of certified copies in the Civil and Revenue courts in the mufassal ? ”

The hon. Mr. A. Y. G. CAMPBELL :—“ If specific instances of inordinate delay are brought to notice, an enquiry will be made.”

Criminal Justice

Order served by the Sub-Magistrate of Salem under section 144, Criminal Procedure Code, on the organizers of the Arya-Vaisya Youths' Conference.

* 775 Q.—Mr. T. ADINARAYANA CHETTIYAR: Will the hon. the Law Member be pleased to state—

(a) whether he is aware that the Arya-Vaisya Youths' Conference took place at Salem on 4th July 1927;

(b) whether the Sub-Magistrate of Salem was present at the Conference hall on the afternoon of that day;

(c) whether it is the fact that people who have nothing to do with the Youths' Conference had taken possession of the Conference hall prior to the time that the adjourned meeting of the Youths' Conference was to have been held;

(d) whether it is the fact that the President of the Youths' Conference Mr. Mothey Narayana Rao, M.L.C., Mr. T. Adinarayana Chettiyar, M.L.C., and Mr. T. Bagavantam Gupta, B.A., B.L., requested the Sub-Magistrate to help them to get possession of the hall and whether they also made a similar appeal to the police sub-inspectors present there;

(e) whether it is a fact that neither the Police nor the Sub-Magistrate would help the organizers of the Youths' Conference to regain possession of the Conference hall from people who were unlawfully occupying it and creating noise and disturbance;

(f) whether it is a fact that the Sub-Magistrate without taking any effort to help the organizers of the Conference to gain possession of the hall suddenly wanted to serve an order under section 144, Criminal Procedure Code, on Mr. T. Bagavantam Gupta and the organizers of the Youths' Conference;

(g) whether it is a fact that when Mr. T. Bagavantam Gupta asked the Sub-Magistrate whether he had ascertained the facts as to who were the people rightfully entitled to possession of the hall and also the names of those who were obstructing them, the Sub-Magistrate admitted he had not made any such enquiries;

(h) whether it is a fact that the Sub-Magistrate retired for a while and then suddenly entered the Conference hall and cleared it with the help of the police making a pretence of reading something which however nobody could hear;